19 60 **File No.** 2384/48

B CLASS P.W. **DEPARTMENT**
E **BRANCH** II

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(23)

Subject:— Increment
Deshpande, M. N. B., Clerk.
Fixing of date of

B[K] 1950

File No. 2384/48 E.B. II

Std. Scott. Slip 24-8

G. R., G. D., No. 2408, dated 22-6-22.]

Std. Sectt. 78 a.

DOCKET SHEET

Subject:—

File No. 2384/48

P.W. **DEPT.**

E. **BRANCH.** II

References:—

Date.	To whom sent.	Notes and instructions.
9/3/50	EB II	

2384/48
19218

P. W. D.

E.B.(II)

PP13-15 of 49

Mr. N. B. Deshpande, a clerk, has repre-sented that his date of increment on the perma-nent estabt. may be fixed as 17-7-47 instead of 1-1-48 as fixed by the S.E., S.C., while making him permanent from the 1-1-47. He states that the change in the date of his increment has placed him below his juniors in the seniority list prepared on 1-1-49 on the basis of pay and the date of confirmation. He, therefore, requests that his due seniority may be restored to him.

2. Mr. Deshpande's main argument is that he was appointed on tempy. estabt. from the 16-6-42 and then was promoted to officiate in a permanent post from the 1-10-44 against a clear vacancy followed by his confirmation from the 1-1-47 without any break and therefore the Ex.Engr., Bijapur Dn., was right in fixing his date of increment as 17-7-47 after taking all his previous services of 1 year, 2 months and 14 days ~~(which was twice interrupted by service on work-charged estabt.)~~ into consideration for purposes of granting higher starting pay of Rs.50/- p.m. on the basis of orders issued in G.L.No.2648/36-E(II), dated the 30-10-47. The S.E., S.C., while making him permanent on the 1-1-47 applied to his case orders issued in G.L.No.2648/36-E(II), dated the 3-10-47 and fixed his starting pay as of Rs.33-10-0 and changed the date of increment as 1-1-47.

× Slip A
File No 2648/36-III.
P.89

& Slip B
— Do :-
PP117-118.

3. The S.E. in his endt. No.G.44/2, dated the 3-3-50, states that the date of increment of Mr. Deshpande was fixed as 17-7-47, by the Ex.Engr., Bijapur Dn., prior to his confirma-

tion.....

confirmation and as such it cannot hold good after his confirmation. It also cannot fall within the purview of para. 9 of G.R.. F.D. No.6567/33, dated the 15-1-48, and his date of increment fixed on 1-1-48, on his being confirmed is, therefore correct under the Govt. orders in force.

4. In para. 5 of G.C.M. No.2648/36, dated the 25-9-41, it has been already laid down that a tempy. person when promoted to the permanent estabt. does not get the full benefit of his tempy. service for the purposes of increments on the permanent estabt. and the date of the next increment on the permanent estabt. counts from the date of his promotion to that estabt. Mr. Deshpande is made permanent from the 1-1-47 and the S.E. is right in fixing the date of his next increment as 1-1-48. Mr. Deshpande's request thus cannot be granted. He may be informed accordingly. The draft put up for approval may issue.

KPB
22-3-50.

GJP.
22/3

G. R., G. D., No. 2408, dated 22-6-22.j-

Std. Scott. 73 a.

DOCKET SHEET

Subject :—

File No. 2384/48

P.W. DEPT.

E BRANCH

References :—

Date	To whom sent.		Notes and instructions.

Dharwar: 14-9-1948.

To

The Superintending Engineer,S.C.Belgaum.

Subject:- Seniority list of clerks as stood on 1st June 1948.

Ref.S.E.S.C's No.G.46 of 2-9-1948.

Sir,

As I find my seniority has not bee fixed properly I beg to represent as under:-

My pay has been fixed at Rs.55/- on 1.1.1947 as per G.R.F.D.No.6567/33-I of 15.1.1948. As per para 9 of the said G.R.I was granted an increment from 17th July 1947 raising may pay from Rs.55/- to 58/- from that date. My date of next increment is therefore 17-7-1948 and not1.1.1949 as shown by you in the seniority list. Besides I have been granted another increment from 17.7.1948 raising my pay Rs.58/- to 61/- from that date In view of the fact that my date of increment being earlier than 1.1.1949 my seniority is, I presume, required to be refixed at a suitable place.

I request your honour to kindly reconsider and refix my seniority after taking into account the date of increment as shown above.

Hoping to be excused for troubles,

Yours faithfully,

Sd. N.B.Deshpande,clerk.

Through the Executive Engineer,Dharwar Dn.with respects.

Dharwar: 2-5-1949.

To

The Superintending Engineer,S.C.Belgaum.

Subject:- Seniority list of clerks as it stood on 1st Jan.1949.

Sir,

With reference to your No.G.46 of 29-4-49 circulating the above mentioned seniority list I beg to state as under:-

It is seen in the above list that my senhority has not been correctly fixed in view of my date of next increment being shown by you as 1st Jan.5(instead of as 17th July 1949 as required. The date 17th July has been fixed after counting my previous temporary service of Y.M.D. in accordance 1.2.14 with the orders contained in G.L.P.W.D.No.2648/36-E(II) of 30th Oct.1947 and your No.G.55 of 10th Nov.1947 which has been done in the cases of S.No: 22.24.25,27,44,49,51 and 54 and in the above mentioned list. In this connection I have already submitted my representation dated the 14th Sept. 1948 through the Ex.Engr.D.Dn.

Besides I have been drawing pay at Rs.61/- from 17.7.1948 and my next date of increment falls due on 17-7-1949.

In the circumstances I request your honour to kindly get the date of next increment corrected from 1.1.1950 to 17th July 1949 and refix my seniority.

After the refixatio n of the my seniority I hope and expect to stand an early chance for promotion to the next higher grade.

For this act of kindness I shall for ever remian indebted.

Hoping to be excused for troubles,

I beg to remain etc.

Sd. N.B.Deshpande,clerk to the Executive Engineer Dharwar Dn.

Submitted through the Executive Engineer Dharwar Dn.with respects.

Dharwar: 23rd June 1949.

To
The Superintending Engineer S.C.Belgaum.

Subject:- Refixation of seniority.

Sir,

I humbly and respectfully beg to invite a reference to my application dated the 14th Sept.1948 and subsequent application dated the 2nd May 1949 regareing refixation of my seniority and I ha e to state that following for favour of your kind consideration.

2. Immediately on receipt of the seniority list of clerks as it stood on 1.6.48 I had pointed out that the date of next increment shown therein as 1.1.1949 was incorrect and requested for correcting to 17th July 1948 But I have not been favoured with a reply therto.

3. Thereafter I expected that the above correction would be carried out in the seniority list as it stood on 1.1.1949. But unfortunately it was found that the same mistake had ocurred. So I had to immediately point out the requirement to the effect that the date of next increment shown in the said list viz.1.1.1950 should be corrected to 17th July 1949 As yet I have not received any reply th this second representation. Now that I hear that the combined seniority list is being prepared and will soon be issued I am therefore compelled to bring to your kind notice the following facts for your consideration and further necessary action.

4. As per orders contained in G.L.P.W.D. No.2648/36-E(II),df 30th Oct.47 and your endorsement No.G.55 of 10-11-1947 my previous temporary service of 1.2.14 has been allowed to count for increment on promotion to permt. Y.M.D.
establishment (vide S.No.16) of the statement accompanying your endorsement No.referred to). Acccordingly the Executive Engineer,Bijapur Division,refixed my date of increment as on 17th July 1947 vide this office order No.G.44 of 10th Jan.1948 copy endorsed to you. Such being the case I do not understand as to why and how I am placed at S.No.101 in the seniority list as it stood on 1.6.48 and at S.No.75 in the seniority list as it stood on 1.1.1949 instead of say below S.No.70 in the latter list. It appears in view of the date of next increment as pointed out above I am entitled to be placed above S.No.71 who will be junior to me. I therefore request you to kindly refix my seniority accordingly by correcting the date of next increment from 1.1.1950 to 17th July 1949.

5. Further I beg to to state that after the refixation of the dat of next increment as per order in the G.L. referred to in para 4 above I received orders of my confirmation in the post from 1.1.1947, on pay Rs.33-10-0 in the old scael of pay Rs.25-5/2-65. As per orders issued in G.R.F.D.No.6567/33 of 13.10.1948 the seniority of clerks as it stood on 31.12.1947 should remain unaffected even by revisionn of pay scales of 1948. But in my case I do not know where my seniority existed on that date as it is seen that no such seniority list has been issued. Besides Government in paragraph of their letter referred to in para 4 above have ordered that after counting the temporary serfice the date of next increment and seniority should be refixed. So it appears nemessary that a seniority list on 31.12.1947 may kindly be issued without which I think I am unable to find out my proper place either in the seniority list as it stood on 1.1.1949 or in the combined seniority list to be issued shortly.

6. In the circumstances I request your honour to favour me with my due position in the list in question in view of the facts stated above. Unless I am restored to my due position I cannot hope for promotion to the higher grade to which I would become due in the immediate future. As I have to complete the required period of sub-Dnl.training in the accounts which would have been completed by this time, I request your honour to be kind enough to issue your orders as early as possible.

7. For this act of kindness I shall for ever remain grateful

Yours faithfully,
Sd. N.B.Deshpande, 23.6.
Clerk to the Executive Engineer,D.D.

Submitted through the
Executive Engineer,Dharwar Dn.,with respects.

No.G.46. Public Works Department
Belgaum, 20th September 1949.

To

The Executive Engineer,
Dharwar Division.

Subject:- Representation of Mr.N.B.Deshpande,clerk,for fixation of seniority.

Reference: Your endorsement Nos.G.46 of 16-9-48,4-5-48,27-6-1948 and 26.8.49 respectively.

Mr.N.B.Deshpande,clerk, was granted a higher starting pay of Rs.50/- with effect from 23.11.1944 under this office No.G.44 of 5.7.~~48~~ 1945 and this office endorsement No.G.R.69 of 19.1.1946 where in it is clearly stated that his pay is liable to be refixed if and when he is made permanent and that he is not to be promoted to the permanent establishment without the orders of Government. Government,in their letter No.2648/36-E(II) of 3-10-1947,having laid out the procedure for fixation of pay of the subordinate falling in the above catefory, the pay Mr.N.B.Deshpande was fixed at Rs.30-0-0 + 3-10-0 personaly pay, with effect from 1st Jan. 1947 after taking all his previous services into consideration. Hence he is not entitled for the concession as per Government Letter No.2748/36-E(II) of 30-10-1947. This concession is permissible only to those subodirnates who are not granted higher starting pay.

2. The Executive Engineer Bijapur Division's No.G.44 of 10-1-1948 referred to by the applicant in his application does not hold good in the present case as his service, though officiating in permanent vacant posts being purely temporary he having had no lien on any post, was taken into account as tempora3y service, for the purepose of higher starting payl as such, the date of increment fixed by the Executive Engineer,Bijapur Division (viz.17.7.1947) can remain in forde only till Mr.N.B.Deshpande in not made permanent.

3. As the pay of Mr.N.B.Deshpande,has been fixed from 1.1.1947 at Rs.30-0-0 + 3-10-0 on the permanent establishment after taking into account all his previous service, the date of his next increment correctly falls on 1.1.1948 only in the revised scale and not earlier, as the dateof increment of a person prior to his confirmation, has hot bearing on the date of increment when he is made permanentl

4. From the above, it will be seen that the pay of Mr.N.B. Deshpande and the date of his next increment was ocdorrectly shown in the seniority list. His pay will, therefore, he Rs.64/- from 1.1.1950 and not from 17.7.1949 as presumed.

5. Mr.N.B.Deshpande should pleased be informed accordingly and the excess pay, if any, paid to him should be recovered and adjusted as early as possible.

6. This has also reference to your No.R-18 of 7-9-1949.

Sd. S.S.Divatia,
Superintending Engineer,S.C.

True copy

No.G-46. Public Works Department,
Belgaum, 20th September, 1949.

To

The Executive Engineer,
Dharwar Division.

Subject:-Representation of Mr. N.B.Deshpande, clerk, for fixation of seniority.

Reference:-Your endorsement Nos.G-46 of 16-9-1948, 4-5-1949, 27-6-1949 and 26-8-1949 respectively.

Mr. N.B.Deshpande, clerk, was granted a higher starting pay of Rs.50/-with effect from 23-11-1944 under this office No.G-44 of 5-7-1945 and this office endorsement No.G.R.69 of 19-1-1946, wherein it is clearly stated that his pay is liable to be refixed if and when he is made permanent and that he is not to be promoted to the Permanent Establishment without the orders of Government. Government, in their letter No.2648/36-E(II) of 3-10-1947, having laid out the procedure for fixation of pay of the subordinate falling in the above category, the pay of Mr. N.B. Deshpande was fixed at Rs.30-0-0 + 3-10-0 personal pay with effect from 1st January, 1947 after taking all his previous services into consideration. Hence, he is not entitled for the concession as per Government Letter No.2648/36-E(II) of 30-10-1947. This concession is permissible only to those subordinates who are not granted higher starting pay.

2. The Executive Engineer, Bijapur Division's No.G-44 of 10-1-1948 referred to by the applicant in his application does not hold good in the presnt case, as his service, though officiating in permanent vacant posts being purely temporary, he having had no lien on any post, was taken into account as temporary service, for the purpose of higher starting pay, as such,the date of increment fixed by the Executive Engineer, Bijapur Division (viz. 17-7-1947) can remain in force only till Mr. N.B.Deshpande is not made permanent.

3. As the pay of Mr.N.B.Deshpande has been fixed from 1-1-1947 at Rs.30-0-0 plus 3-10-0, on the Permanent Establishment after taking into account all his previous service, the date of his next increment correctly falls on 1-1-1948 only in the revised scale and not earlier, as the date of increment when he is made permanent.

4. From the above, it will be seen that the pay of Mr. N.B.Deshpande and the date of his next increment was correctly shown in the seniority list. His pay will, therefore, be Rs.64/- from 1-1-1950 and not from 17-7-1949, as presumed

5. Mr.N.B.Deshpande should please be informed

accordingly and the excess pay, if any, paid to him should be recovered and adjusted as early as possible.

6. This has also reference to your No.R-18 of 7-9-1946

Sd. S.S.Divatia.
Superintending Engineer,
Southern Circle.

No.2648/36-E(II).
Public Works Department
Bombay Castle, 30th October 1947.

Letter.

To

The Superintending Engineer, Northern Circle,
The Superintending Engineer, Southern Circle

Subject:- Counting of temporary service for increments on promotion of temporary men to permanent posts.

Reference: Your endorsement No.G.R.84/912,dated the 31st Jan.1946 letter No.G.55,dated the 16th Jan.1946.

2. The benefit of Government Resolution No.2648/36,dated the 15th June 1944 should be extended to the clerks concerned by allowing to count for increment on promotion to the permanent establishment, such periods of their past temporary service, during which they would have been appointed to officiate in permanent posts, had their juniors not been appointed in their stead to officiate in those posts. The pay of the men should be revised accordingly with effect from the 1st October 1947 (i.e. revised pay to be first drawn in Nov.1947), and their seniority refixed, the date of increment being regulated according to the Government resolution quoted above.

3. The proposal made in the S.E.S.C's Endorsements No.G.55,dated the 11th Feb.1947 and No.G.55/2,dated the 12th March 1947, to allow all the continuous temporary service to count for increments cannot be approved.

4. Officiating appointments to permanent posts should, in future, always be made according to seniority and merit.

By order of the Governor of Bombay
Sd/- D.N.Daruwala,
for Deputy Secretary to the Government of Bombay,I.W.D.

D.A.Nil.

Copy forwarded to - the Finance Department
the Accountant General,Bombay(through the F.D.)
the Electrcial Engineer to Government with reference to this endorsement No.G.45/4845,dated the 14th March/-
2. The benefit of the Government resolution,quoted above should be allowed to Mr.M.B.Jorapur,clerk,in the Electrical Dn.,in respect of his past officiating service in a permanent post. His pay should be revised seniority refixed,and the date of increment regulated according to the above orders.

Copies forwarded,with reference to Government letter No.2648/36-E(II),dated the 15th Oct.1945 to
the other Superintending Engineers of Circles,
the Public Health Engineer to Government,
for information and guidance with reference to paragraph 4 above.

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No.G.55

Public Works Department,
C.V.Belgaum, 10th November 1947.

Copies f.w.c. to the Executive Engineer Belgaum/Dharwar/Bijapur/Kanara/Ratnagiri Division for information and gudance with reference to his reply to this office endorsement No.G.55,dated the 22nd June 1945.

2.A copy of the statement accompanying this office letter No.G.55,dated the 16th Jan.1946, showing the names of the permanent clerks who are eligible to the benefit referred to in para 2 above, is forwarded herewith for taking necessary action to revise the pays of the clerks concerned as indicated by the Government.

3. Necessary statement shoing information regarding the revised pay from 1.10.1947 (i.e. revised pay to be first drawn in November 1947) and the date of next increment as per G.R.(P.W.D.) No.2648/36,dated the 15th June 1944 in the individual cases concerned should be sent early to the A.G. Bombay, and a copy thereof endorsed to this office when action to refix the seniority will be taken.

4....

4.Particular attention is invited to para 4 above, and he is requested to see that officiating appointments on permanent posts borne on circle cadre are not made, in futur, without the prior approval of this office.

Accompts:-1 Statement.

Sd. E.P. Little,
Superintending Engineer, S.C.

Copy with a copy of the statement referred to in para 2 above forwarded with compliments, to the Accountant General,Bombay for information with reference to Government letter under reference copy endorsed to him directly

True copy

Statement showing the periods of temporary service of the subordi on the permanent establishment which are to be counted towrads increments on the permanent estal ent.

Name	Date of entry in P.w.D.	Date of substantive permament appointment	Total temporary service.	Periodof Temp. service during which the subordinate would have been appointed to officiate on the perma ent Estt. or similar permanent posts.	Total period of Temp. service as in col. 6 which is to be counted towards increment on the permament establishment	Present pay on the permenent estt. as on 1st September/45	Pay that would be admissible if service shown in col.7 is allowed to count towards increments on the Permt. estt.	The Extra cost per annum involved if the pay is fixed as in col.9	Remarks
2.	3.	4.	5.	6.	7.	8.	9.	10.	11
			y.m.d.	Y.M.D-	Y.M.D	Rs.	Rs.	Rs.	
Divisional Office clerks in the grade of Rs.25-52-65.									
o 15 x	x	x	x	x	x	x	x	x	x
16. Mr.N.B.Deshpande	16.6.1942 (-do-)	1-10-44 (offg.) Divl. office.	2.1.18	1.4.43 to 31.7.43:-0-4-0 1.8.43 to 14.6.44:-0-10-14	1-2-14	50/-	30/-		
17 to 18 x	x	x	x	x	x	x	x	x	x

*Pay in col.8 granted in accordance with G.R.No. 6717/36,dated 17.7.44 is liable to be refixed.

Sd. N. B. Gadre
Superintending Engineer,S.C.

True copy

Office Order.

No.G.44.

Government having extended the benefit of past temporary service to count for increments on promotion to permanent establishment in their letter No.P.W.D.No.2648/36-E(II).dated the 30th Oct 1947 and in accordance with S.E.S.C's orders contained in his endorsement No.G.55 of 19-11-1947 the monthly pays of the following subordinates held eligible for the benefit in question are hereby regulated as under:-

S.No.	Name & designation	Period of past temp. service allowed to count for increments. Y.M.D.	Date of increment as exiting before the issue of Govt. orders. Last-Next.	Due date of increment as per this order.	Monthly pay as now refixed on 1.10.47 as per above orders.	Remarks.
1.	2.	3.	4.	5.	6.	7.
1) to (4)	x	x	x	x	x	x
5)	Mr.N.B.Deshpande (Offg.)permt. clerk in the grade of Rs. 25.5/2.65.	1-2-14	1-10-46 -1-10-1948	~~1-10-48~~ 17-7-47	~~17-7-1947~~ Rs.50/-	He is granted higher starting pay Rs.50/- from 23.11.1944 in in accordance with G.R.No.6717/36 of 17.7.1944 and G.L. P.W.D.No. dated and his pay is threfore liable to be refixed on being made permanent.
(6) and (7)	x	x	x	x	x	x

10th Jan.1948

Sd. M.K.Noble
Executive Engineer, Bijapur Dn.

To

The Superintending Engineer, S.C.
The A.G.Bombay Bombay
Mr. N.B.Deshpande, clerk

True copy

To

Original

The Secretary to Government,
Public Works Department, Bombay.

Subject :- Humble application of Mr. N.B. Deshpande, clerk for counting of temporary service for increment on promotion to Permanent Establishment.

Sir,

I most respectfully beg to approach your honour with the following humble request for favour of kind and sympathetic consideration and issuing early orders in the matter.

2. My previous service in this Department is as follows :-

	Designation	Pay	From	To	Total Y. M. D.
Bijapur Division	Clerk(Works Offg & Permt)	30/-	1.3.41	12.7.41	
	Computor(workcharged)	30/-	13.7.41	- 2.8.41	
	Clerk (offg. & Permt)	30/-	3.8.41	2.12.41	
	Computor(workcharged)	30/-	3.12.41	13.6.42	
	Transit period from 14th to 15th June 1942 inclusive				
Ratngiri sion	Typist Temporary	30/-	16.6.42	20.4.43	
	Transit from 21 to 29-4-43.				
Bijapur Dn. in Divl. offige.	Clerk -do-	30/-	30-4-43	10-3-44	
	Clerk offg.& permt.	30/-	11-3-44	9-5-44	
	Clerk Temporary	30/-	10-5-44	30-9-44	
	Clerkoffg.and permt.	30/-	1010-44	22-11-44	Granted higher
	Clerk offg.& permt.	50/-	23.11.44	31.12.46	starting pay
	Clerk Substantive & Permt. (Rs.30 + 3-10 P.P.)	33-10	1.1.47	todaye	

Pay Refixed at Rs.55/- from 1-1.1947 in the prescribed scale

3. I was allowed to count my previous temporary service of 1 year, 2 months and 14 days as per recommendations made in the statement accompanying the Superintending Engineer, Southern Circle's letter No. G-55, dated the 16th January 1946 under Government Letter, P.W.D. No.2648/36-E-II, dated the 30th October 1947 addressed to the Superintending Engineer, Southern Circle and the Executive Engineer, Bijapur Division accordingly refixed my date of increment as on 17th July 1947 after taking into account the approved past temporary service vide his No. G-44, dated the 10th January 1948 (copy enclosed). As I was granted higher starting pay of Rs. 50/- as per Government Letter, P.W.D. No.6717/36-E(II) dated the 28.6.45 the question of refixation of pay was not immediately taken up. This higher starting pay was however to be refixed on being made permanent.

Further I was made permanent from 1st January 1947 under Superintending Engineer, Southern Circle's No. G-44, dated the 12th January 1948 with a starting pay of Rs.33-10-0 (30 plus 1-10-0 Personal Pay) taking into account of my previous service. But on introduction of the present revised prescribed scale of pay from 1st January 1947 I have been granted a starting pay of Rs. 55/- P.M. from 1st January 1947 and as the date of next increment fell due during the same year i.e. on 17th July 1947, I was granted this increment as per para 9 of Government Resolution F. D. No.6567/33, dated the 15th January 1948. Thus the date of my increment was fixed on 17th July every year in the present revised scales of pay.

4. Consequent upon the preparation of the Seniority List of clerks in the Southern Circle fixing my date of increment on 1st January, I had approached the Superintending Engineer, Southern Circle in connection with the incorrect refixation of my seniority as on 1st January but

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PP 5-6

that Officer informed me under No. G-46, dated the 20th tember 1949 that the Government orders allowing the benef: temporary service for increment on promotion to Permanent Establishment are not applicable in my case, as my pay on confirmation was fixed in accordance with the orders contained in Government Letter, P.W.D. No.2648/36-E (II), dated the 3rd October 1947 in which the procedure of fixation of pay on promotion to Permanent Establishment in the case of clerks in receipt of higher starting pay is laid down and hence the date of increment fixed on 1st January cannot be changed.

× slip B
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PP 117-118

5. As however I am not satisfied with this decision on my representation (copies enclosed herewith) I have to appeal to your honour kindly to reconsider my grievances in view of the following :-

(i) My previous temporary service of 1 year, 2 months and 14 days has been allowed by Government to count for increment on promotion to Permanent Establishment and hence this concession on my promotion to Permanent Establishment may not kindly be denied to me.

(ii) Government Letter, P.W.D. No.2648/36-E-(II) dated the 3rd October 1947 as pointed out by the Superintending Engineer in para 3 above has been superseded by Government Letter, P.W.D. No. 2648/36-E(II) dated the 30th October 1947 which lays down the period of past temporary service during which the clerk concerned would have been appointed to officiate in permanent post had his junior not been appointed in his stead to officiate in that post I was appointed on Temporary Establishment from 16th June 1942 and was promoted to officiate in permanent post from 1st October 1944 against a clear vacancy followed by my confirmation from 1st January 1947 without interruption. The orders issued in the former Government Letter relate to the fixation of pay on promotion to Permanent Establishment of the clerks in receipt of higher starting pay after taking into account all previous service and those in the latter relate to the counting of the past temporary service for increment on promotion to permanent establishment. As I was superseded by my junior clerks during the period from 1st April 1943 to 14th June 1944 which has been allowed to count for increment I claim that I should not be deprived of the same in view of the following paragraph.

⊗ slip A.
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Now to be W Junior Clerks superseded as stated above

The higher starting pay granted to me was not taken into account while fixing my pay on Permanent Establishment but the starting has been calculated at Rs. 30/- P.M. in the old scale 25-5/2-65 on my promotion to Permanent Establishment. Hence this higher starting pay which was granted by Government as a special case on account of demand of higher rates of pay and dearth of qualified hands, just to induce to take up Government jobs, has no concern with the matter of counting the previous temporary service for the purpose of increments in the present revised scales of pay.

(iii) I have been placed below my juniors in the seniority list as on 1st January 1949 on the basis of pay and date of confirmation and hence my due seniority may kindly be restored to me lest I may be permanently put to a recurring financial loss by the postponement of the date of my increment by 5½ months for no fault of mine.

Finally as I am greatly distressed by the Superintending Engineer's decision I have been compelled to approach your honor kindly to move Government in view of the facts stated above to issue favourable orders, for which act of kindness I shall ever remain grateful.

Yours faithfully,

Sharsar
10th Jan/50

Clerk.

16

Through
Secy.

The Executive Engineer Dharwar Dn
Work his no. R-17 dt 13-12-49
The Supdg Engineer S.C. Belgaum
Work his no. G-46 dt 20-7-49
} Work in question.
The Subordinate officer S.P. Sub Dn
Dharwar

No. 34 Dharwar 13th Jan/50.

Passed on W.O. for favourable
consideration

Sd/- Subordinate officer S.P. Sub Dn
for Executive Engineer

Statement showing the fixation ofpay of subordinates (superior and inferior) borne on permanent and temporary establis t in the Dharwar Divisin in the prescribed scale in accordance with G.R.F.D.No.6567/33-I of 15-1-1948 &6567/33-I: of 15.1.1948 and Accountant General Bombay's No.Gen.letter No.471-M-1858 and G.R.P.W.D.No.6919/36-IX of 1.4.49

-No.	Name of subordinate and designation.	Date of entry in Govt.service and whether pre-31 or post-31 entrant	i)Prescribed scale ii)Existing scale iii)Corresponding scale iv)Completed years of service in the corresponding scale v)Present pay	Pay fixed under Rule 8(a)	Pay fixed under rule 8(b)	Pay fixed under rule 8(c)	Pay in the prescribed s c a l e	Date of next increment & pay in the prescribed s c a l e	Remark
2		3	4	8(a)	8(b)	8(c)	9	10	11
	Mr.R N. B. Deshpande Clerk	1.3.41 Post-31	i)46-3-85-4-105 ii)-do- iii)25-5/2-50-5/2-65 iv)5Y - 2M - 25D v)Rs.50(Higher starting pay) + 10 T.A.P.	55 + 3 increments = 64/-	50+15 = 65 + Next stage = 67	55+ 5 Increments = 15 = 70/-	64/-	a)1.1.1948 b)17-7-1947	a) b)

a)Is the date taken on the basis of his confirmation i.e. from 1.1.1947

b)Is the date fixed as per orders contained in the G.L.P.W.D.No 2648/36-E(II) of 30-10-1947 as per which past temporary has been allowed to count for increments on promotion to permanent establishment

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Executive Engineer Dharwar Dn.

Below application dated 10th Jan. 1950 from Mr. N.B. - Deshpande, clerk, addressed to the Secretary to Government - P.W.D. Bombay, through the Executive Engineer, Dharwar Division and the Superintending Engineer, S.C., Belgaum, and received under Sub-Divisional Officer, S.P.'s endorsement No. 34 of 30th Jan.1950 regarding counting of temporary service, for increment on promotion to permanent establishment.

No. G-44. Office of the Executive Engineer, Dharwar Division, 6 February 1950.

Forwarded with compliments to the Superintending Engineer, S.C., Belgaum, for favour of due consideration.

2. In view of the orders contained in paragraphs 2 & 4 of G.R.P.W.D. No. 6919/36-II of 1-4-49 allowing temporary service to be taken into consideration, the pay of Mr.Deshpande has been refixed at Rs.64/- from 1.1.1947, vide statement of details attached herewith for reference, which is being got verified by A.G.Bombay, as soon as the Test Audit party arrives vide G.C.M. F.D. No.7524/33 of 29.3.49. From the above it will be seen that according to Government orders laying down principles for fixation of pay under the revision of pay rules, the pay of Mr.Deshpande comes to Rs.64/- P.M.; but the only point for consideration with regard to the fixation is whether the 16% cut applicable to temporary subordinates of this Deptt., on promotion to permanent estt., should be applied in the case of Mr.Deshpande who was an offig.clerk from 1.10.44 was made permanent on 1.1.1947. This point would be got cleared from the A.G's Audit party after which the difference of pay if any will be paid to Mr.Deshpande.

3. The service Book of Mr.Deshpande is enclosed herewith.

4. This has a reference to S.E.S.C's No.G-46 of 20th ....

S.E.S.C. 8 FEB 1950

* copy attached & docket sheet.

September 1949.

Encls.1 S.B.
* Statt.
with accompaniments
of the Application.

Executive Engineer,D.D.

Below application dated 10-1-50 from Mr. N. B. Deshpande, clerk, regarding the date of his increment.

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No.G-44./2 — Public Works Department,
BELGAUM: 3 - March 1950.

Forwarded, with compliments, to the Secretary to Government, Public Works Department, Bombay.

2. The applicant contends that though he was given the benefit of his temporary service amounting to Y. M. Ds. 1- 2- 14 to count for increments on promotion to the permanent establishment, as per Government, P.W.D. letter No.2648/36--E(II) of 30-10-47 and the date of his increment fixed as 17-7-47, the Superintending Engineer, Southern Circle has ordered the date of his increment to be 1-1-48 instead of 17-7-47 and that he may be given justice.

Slip A. File No. 2648/36-III P.89

3. The applicant Mr. N. B. Deshpande, joined service as an offg. Clerk on Rs. 30/- P.M. on 1-3-1941. During his service from 1-3-41 to 15-6-1942, his service is twice interrupted by work-charged service (kindly vide details in his application). According to G.R.,P.W.D. No.2648/36 of 15-6-44, the officiating service if interrupted by service on the work-charged establishment, the whole of the officiating service on the permanent establishment prior to such work-charged service cannot be counted for the purposes of increment on the permanent establishment. The service of Mr. Deshpande, prior to 15-6-1942 having thus been termed to be Nil for the purposes of increment, under the orders in force, his service on the Temporary Establishment from 16-6-1942 to 31-12-1946 (i.e. prior to his confirmation on 1-1-1947) will only have to be taken int consideration for the purpose of increment. Thus his pay on 1-1-1947 according to orders inunciated in G.C.M.,P.W.D. No. 2648/36 of 25-9-1941 comes to Rs. 33-10-0 after applying 16 % cut on Rs. 40/- P.M.

(X) Slip D. File No. 2648/36-II PP 33-34.

Δ Slip C. File No. 2648/36-I PP 95-98.

4. As Mr. Deshpande was given the higher starting pay, his case is governed by Government letter No. 2648/36-E(II) of 3-10-1947. Accordingly his pay was fixed on 1-1-47 (i.e. on the day on which he was made permanent) at Rs.33-10- after taking into consideration all his previous service including work-charged. The presumption of the applicant in para 5(ii) of his application that the Government letter dated 3-10-1947 is superseeded by the Government letter of 30-10-1947, referred to in para 2 above, is not correct.

Slip B File No 2648/36-III PP117-118

5. The date of increment(viz: 17-7-47) referred to by the applicant in para 3 of his application was fixed by the Executive Engineer, Bijapur Division prior to the confirmation of Mr. Deshpande and as such it cannot hold good after his confirmation. It also cannot thus fall within the perview of para 9 of G.R.,F.D. No 6567/33, dated the 15th January 1948. The increment certificates sanctione to him are, therefore, incorrect. In this connection, a copy of this office letter No. G-46 dated 20-9-1949, addressed to the Executive Engineer, Dharwar Division is enclosed, which reveals the position of the case correctly.

P.15

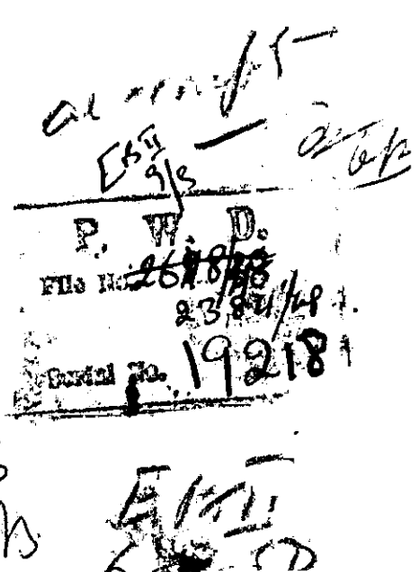
Will be put up if reqd.

6. Under the Government orders in force, I hold that the action of this office in fixing the date of the applicant's increment as 1-1-1948 is correct.

D. A.:- 9 sheets
1 copy of letter
No.G-40 of 20-9-49.

S S Welton

Superintending Engineer, S.C.


P. W. D.
File No.
Docket No. 19218

Letter.

No.2384/48-E(II). P. W. D.,
B.C. (Bombay No.1),
24th March 1950.

To

The S.E., S.C.

Subject: Representation of Mr. N. B. Deshpande, clerk, for fixation of the ~~dxx~~ date of his increment.

....P.23

Reference: Your endt. No.G.44/2, dated the 3-3-50.

2. Mr. N. D. Deshpande should be informed that his date of increment has been correctly fixed by ~~the S.E., S.C.~~ you., as 1-1-48 and it cannot be changed as requested by him.

By order of the G. of B.

D.A.- Nil.

S. ~~Asst.~~ Dy. Secy. to the Govt. of Bombay,
P. W. D.

Copy forwarded to the Ex.Engr., Dharwar Dn., for information.

KRS
22-3-50.

GJP.
22/3

Received 22/3 A.E. D.S.

Glue pr

P 23 (Spare) 23/3

(Spare) 24/3